PART IV

Section 1—B

CENTRAL ACTS AND ORDINANCES

DEPARTMENT OF LAW AND PARLIAMENTARY AFFAIRS.

NOTIFICATION.

No. LAW 50 LCA 67, Bangalore, dated the 30th October 1967.

Ordered that the Essential Commodities (Second Amendment) Ordinance, 1967 (No. 8 of 1967) which has been published in the *Gazette of India*, Extraordinary, Part II, Section 1, dated the 21st October 1967, be re-published in the *Mysore Gazette*, for general information.

By Order and in the name of the Governor of Mysore,

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H. K. ANANTHASUBBA RAO,
Under Secretary to Government,
Dept. of Law & Parliamentary Affairs.

THE ESSENTIAL COMMODITIES (SECOND AMENDMENT) ORDINANCE, 1967

No. 8 OF 1967

Promulgated by the President in the Eighteenth Year of the Republic of India.

An Ordinance further to amend the Essential Commodities Act, 1955.

WHEREAS Parliament is not in session and the President is satisfied that circumstances exist which render it necessary for him to take immediate action ;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 123 of the Constitution, the President is pleased to promulgate the following Ordinance :—

1. Short title and commencement.— 1) This Ordinance may be called the Essential Commodities (Second Amendment) Ordinance, 1967.

(2) It shall come into force at once.

2. Act 10 of 1955 to be temporarily amended.— During the period of operation of this Ordinance, the Essential Commodities Act, 1955 (hereinafter referred to as the principal Act), shall have effect subject to the amendments specified in sections 3, 4 and 5.

Amendment of section 2. In section 2 of the princi-

(ii) khandsari sugar or bura sugar or crushed sugar or any sugar in crystalline or powdered form; or

(iii) sugar in process in vacuum pan sugar factory or raw sugar produced therein.'

4. Amendment of section 3.—In section 3 of the principal Act, after sub-section (3B), the following sub-section shall be inserted, namely:—

'(3C) Where any producer is required by an order made with reference to clause (*f*) of sub-section (2) to sell any kind of sugar (whether to the Central Government or a State Government or to an officer or agent of such Government or to any other person or class of persons) and either no notification in respect of such sugar has been issued under sub-section (3A) or any such notification, having been issued, has ceased to remain in force by efflux of time, then, notwithstanding anything contained in sub-section (3), there shall be paid to that producer an amount therefor which shall be calculated with reference to such price of sugar as the Central Government may, by order, determine, having regard to—

(*a*) the minimum price fixed for sugarcane by the Central Government under this section;

(*b*) the manufacturing cost of sugar;

(*c*) the duty or tax, if any, paid or payable thereon, and

(*d*) the securing of a reasonable return on the capital employed in the business of manufacturing sugar,

and different prices may be determined, from time to time, for different areas or for different factories or for different kinds of sugar.

Explanation.—For the purposes of this sub-section, "producer" means a person carrying on the business of manufacturing sugar.'.

5. **Amendment of section 6C.**—In section 6C of the principal Act, in sub-section (2), for the words, brackets, figures and letter "and such price shall be determined in the case of foodgrains, edible oil seeds or edible oils in accordance with the provisions of sub-section (3B) of section 3 and in the case of any other essential commodity in accordance with the provisions of sub-section (3) of that section", the following shall be substituted, namely:—

"and such price shall be determined—

(i) in the case of foodgrains, edible oil seeds or edible oils, in accordance with the provisions of sub-section (3B) of section 3;

(ii) in the case of sugar, in accordance with the provisions of sub-section (3C) of section 3; and

(iii) in the case of any other essential commodity, in accordance with the provisions of sub-section (3) of section 3.".

ZAKIR HUSAIN,
President.

V. N. BHATIA,
Secy. to the Govt. of India.

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